

1.1 ..... moves to amend H.F. No. 4293, in conference committee, as follows:

1.2 On R48, Senate language, (UEH4293-1), Article 6

1.3 Page 99, delete section 37 and insert:

1.4 "Sec. 37. **[211B.075] DISTRIBUTION OF ABSENTEE BALLOT APPLICATIONS**  
1.5 **AND SAMPLE BALLOTS.**

1.6 Subdivision 1. **Definitions.** (a) The following terms have the meanings given for the  
1.7 purpose of this section.

1.8 (b) "Person or entity" means any individual, committee, or association as defined by  
1.9 section 10A.01, subdivision 6.

1.10 (c) "Sample ballot" means a document that is formatted and printed in a manner that so  
1.11 closely resembles an official ballot that it could lead a reasonable person to believe the  
1.12 document is an official ballot. A document that contains the names of particular candidates  
1.13 or ballot questions alongside illustrations of a generic ballot or common ballot markings is  
1.14 not a sample ballot as long as the document does not closely resemble an official ballot and  
1.15 would not lead a reasonable person to believe the document is an official ballot.

1.16 Subd. 2. **Requirements.** (a) Any person or entity that mails an absentee ballot application  
1.17 or sample ballot to anyone in the state must include the applicable set of statements, as  
1.18 follows:

1.19 (1) if an absentee ballot application is enclosed, "THIS IS AN ABSENTEE BALLOT  
1.20 APPLICATION, NOT AN OFFICIAL BALLOT"; and

1.21 (2) if a sample ballot is enclosed, "THIS IS A SAMPLE BALLOT, NOT AN OFFICIAL  
1.22 BALLOT."

2.1 (b) The statements required by paragraph (a) must be printed in capital letters on the  
2.2 outside of the mailing, in a typeface and format designed to be clearly visible at the time  
2.3 the mailing is opened. The mailing envelope must include markings to clearly distinguish  
2.4 it from official election mail sent by a unit of government.

2.5 (c) This section does not apply to a unit of government or employee of that unit of  
2.6 government when discharging official election duties, including when complying with  
2.7 requirements to publish a sample or generic ballot in a newspaper of general circulation."